

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS
AUTHORIZING THE CITY MANAGER TO EXECUTE AN EXCLUSIVE FRANCHISE AGREEMENT WITH
REPUBLIC SERVICES FOR
SOLID WASTE COLLECTION SERVICES**

WHEREAS, the City of Milpitas had previously awarded an exclusive franchise to Republic Services, Inc., for the disposal and collection of solid waste in the City, which agreement will expire on September 5, 2017; and

WHEREAS, in anticipation of the expiration of the existing franchise agreement, the City put out a Request for Proposals (RFP) seeking proposals for disposal services only, and proposals for collection services only; and

WHEREAS, the City received six proposals for collection services from: California Waste Solutions, Garden City Sanitation, Inc., GreenWaste Recovery, Green Team, Republic Services, and Waste Management, Inc.; and

WHEREAS, the City Council determines that the proposed agreement with Republic Services for solid waste collection services is in the best interests of the City as authorized by the City's RFP; and

WHEREAS, Public Resources Code Section 40059 and Milpitas Municipal Code Section V-200-5.10 authorize the City to award an exclusive franchise for the collection of solid waste, and to determine the procedure by which such franchises will be awarded.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council hereby approves and authorizes the City Manager to execute an exclusive franchise agreement with Republic Services for solid waste collection services, with any changes deemed necessary by the City Attorney.

PASSED AND ADOPTED this ____ day of _____, 2016, by the City Council by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Christopher J. Diaz, City Attorney